

REMARKS

Pursuant to the above-noted Office Action, the Declaration was found to be defective as it failed to identify the citizenship of one of the inventors. Figure 1 of the drawings was objected to as failing to comply with 37 C.F.R. §1.84(p)(5). Claims 1-15 were rejected under 35 U.S.C. §103(a) given a document authored by Narten. Pursuant to this response, the applicant respectfully traverses these rejections and respectfully requests reconsideration.

The Declaration was objected to for failing to indicate the citizenship of one of the inventors (inventor Aaron Smith). Submitted with this response is a signed Declaration by Mr. Smith wherein his citizenship is designated. The applicant respectfully submits that all requirements regarding the inventor's declaration are now satisfied.

The drawings were objected to. In particular, the Examiner noted two errors in the drawings (that the link interface at router 104 as connected to router 103 should be labeled as "B" and that the link connecting the router 104 to router 103 should be labeled as "108"). A replacement drawing sheet bearing these changes is submitted with this response. No new matter has been introduced. The applicant respectfully submits that the drawings are now in suitable condition to support examination and allowance.

Claims 1-15 were rejected under 35 U.S.C. §103(a) given a document entitled "Neighbor Discovery for IP Version 6 (IPv6)" by Narten. The Examiner contends that Narten teaches identification of one or more active communication links to provide an identified active communication link and to then identify whether the router needs a new address prefix for the identified active communication links. The Examiner then states that, while Narten does not provide for automatic identification of whether the router needs a new address prefix for the identified active communication link, "it is known in the art to adapt an existing method to be automatic."

The applicant respectfully submits that the Examiner has not characterized the Narten reference correctly. Narten teaches that an advertising interface can be administratively characterized by specific conditions and flags that are manually set in a specific way by an administrator. Narten suggests that a human operator can then detect whether such an interface is an advertising interface by looking for the

presence or absence of such conditions and flags. Narten therefore sets forth specifics about how to make an interface an advertising interface. Narten does not teach or suggest, however, that such a process can be effected in any fashion other than by a human administrator.

More particularly, Narten does not provide any suggestion or criteria by which one might determine whether a given interface should be an advertising interface. Not every active link needs to be or should be an advertising interface; in a properly configured system the advertising interfaces will typically comprise only a subset of the active links.

Simply knowing a mechanism by which one can determine if an interface is an advertising interface, and simply knowing a mechanism by which one can cause an interface to be an advertising interface, does not teach or suggest how one determines which interfaces *should* be an advertising interface. In the absence of any such guidance, automating the determination of which interfaces should be an advertising interface can hardly be viewed as an obvious expedient, because the basic reference itself still lacks the requisite teachings that are to be automated.

Claim 1, however, includes a specific recitation to this point by requiring that the router automatically identify "whether the router needs a new address prefix for identified active communication link." As already noted, merely being able to ascertain that a given interface is not an advertising interface, and merely being able to cause an interface to become an advertising interface, does not equate with the ability to determine *whether* a given interface *needs* to be an advertising interface. Although claim 1 is admittedly cast in broad terminology, this claim nevertheless clearly avoids the specific and suggested teachings of Narten.

The above position presumes, for the sake of discussion, that the advertising interface activity of Narten equates with the "new address prefix" limitations of claim 1. In fact, these expressions are not synonyms for one another.

The Examiner relies upon section 7.3 of Narten as teaching that a router can determine whether a new address prefix is needed for an identified active communication link. The applicant respectfully submits that this characterization is incorrect. Narten does not make a specific or equivalent reference to the word "prefix." Narten is describing in this section a mechanism whereby pairs of nodes can

communicate and where they can check to see if they can still communicate by listening to see if their counterpart is still at the same address as they were previously (that is, they can determine if their counterpart is still at their same address). This is utterly distinct, of course, from assigning a new prefix.

The applicant also notes that the Narten reference discusses address resolution. Though Narten does not provide much detail regarding this concept, it does not appear that "address resolution" has anything to do with determining whether an interface needs a prefix (be it a new prefix or a previously determined prefix).

The applicant therefore respectfully submits that claim 1 avoids the Narten reference in a variety of ways and that claim 1 may be passed to allowance.

The above observations carry through with respect to the remaining claims. The applicant therefore respectfully submits that claims 1-15 are allowable over the reference of record and may be passed to allowance.

When seeking to apply the Narten reference, the Examiner provided support for the contention that automating identification of whether a router needs a new address prefix comprises an obvious modification. Such Examiner support, however, is based on facts within the personal knowledge of the Examiner as no other references have been cited for such a proposition. To the extent that the Examiner may continue to apply such facts in a subsequent Office Action, pursuant to 37 C.F.R. §1.104(d)(2), the applicant hereby calls for an affidavit of the Examiner to articulate and set forth the specific facts upon which the Examiner relies to thereby better permit the applicant's review, contradiction, or explanation of such facts in the present context.

There being no other objections to nor rejections of the claims, the applicant hereby respectfully submits that this application may be passed to allowance.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: 

Steven G. Parmelee  
Registration No. 28,790

Date: 5/8/03  
Suite 1600  
120 South LaSalle  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007